

DISTRICT _____ COURT OF THE UNITED STATES

SOUTHERN DISTRICT OF NEW YORK

L.I.S.T., INC.; ET AL

**Petitioner (s)
Plaintiff (s)****Defendant (s)
Respondent (s)**

VEECO INSTRUMENTS, INC.; ET AL

~ VS ~

Trans #: 20051303

File #:

Index #: 05 CV 2189

File: Court Date:

Mort #:

STATE OF NEW YORK: COUNTY OF SUFFOLK: SS:

DONALD J. KLUNE, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on March 18, 2005 at 10:58 am, at 100 SUNNYSIDE BLVD., STE. B, WOODBURY, NY 11797
deponent served the within SUMMONS AND COMPLAINT, CIVIL COVER SHEET, RULE 7.0 STATEMENT; ET AL onVEECO INSTRUMENTS, INC. defendant therein named.**INDIVIDUAL**1 ☐

By personally delivering to and leaving with said _____ a true copy thereof,

and that he knew the person so served mentioned and described in said _____

☐ Defendant was identified by self admission and by the photograph furnished.**CORPORATION**2 ☒

X

By delivering to and leaving with MARGARET AKERLEY at 100 SUNNYSIDE BLVD., STE. BWOODBURY, NY 11797, and that he knew the person so served to be the AUTHORIZED AGENT
of the corporation, authorized to accept service.*Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:***SUITABLE
AGE PERSON**3 ☐By delivering a true copy thereof to and leaving with _____, a person of suitable
age and discretion at _____, the said premise being
the defendants – respondents (dwelling place) (usual place of abode) (place of business) within the state of New York.**AFFIXING TO
DOOR, ETC.**4 ☐**MAILING**

Use with 3 or 4

5 ☐By affixing a true copy thereof to the door of the said premises, the same being the defendant's (dwelling place) (usual place of abode)
(place of business) within the State of New York.**PREVIOUS
ATTEMPTS**

Use with 4

6 ☐

Deponent had previously attempted to serve the above named defendant/respondent.

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

Approximate age 35 Approximate weight 140 Approximate height 5' 7" Sex FEMALEColor of skin WHITE Color of Hair BLOND Other _____☐ Deponent spoke with person served who confirmed non-military status of the defendant. Deponent asked the person spoken to whether the defendant was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

DONALD J. KLUNE

Sworn to before me this 3/19/2005

VINCENT J. GILLIS
Notary Public State of New York
No. 01GI4984594
Qualified in Suffolk County
Commission Expires July 29, 2007